

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:

Dane K. FISHER *et al.*

Appln. No.: 09/540,235

Filed: April 3, 2000

Title: Nucleic Acid Sequences from Cyanidium Caldarium and Uses Thereof

Art Unit: 1631

Examiner: Michael L. Borin

Atty. Dkt. No.: 16517.276

Appeal No.: 2004-1275

Waiver of Hearing

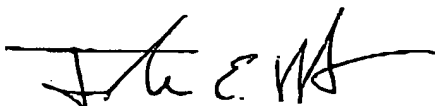
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A hearing before the Board of Patent Appeals and Interferences ("Board") was requested on September 15, 2003, in the above-identified application. Applicants hereby waive attendance at this hearing, and respectfully request that the Board make its decision based on the record.

Respectfully submitted,

Date: July 22, 2004



Thomas E. Holsten (Reg. No. 46,098)

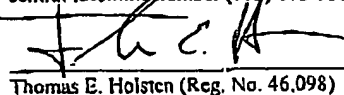
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I hereby certify that the foregoing Waiver of Hearing is being facsimile transmitted to the attention of the Board of Patent Appeals and Interferences, via facsimile number (703) 308-6200, and to the U.S. Patent and Trademark Office, central facsimile number (703) 872-9306.



Thomas E. Holsten (Reg. No. 46,098)

July 22, 2004
Date